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8 Attorneys for BENT CORYDON

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE COUNTY OF LOS ANGELES

11 CHURCH OF SCIENTOLOGY OF)
12 CALIFORNIA,)

13 Plaintiff,)

14 vs.)

15 GERALD ARMSTRONG,)

16 Defendant.)

CASE NO. C 420 153

AMENDED NOTICE OF MOTION AND
AMENDED MOTION FOR AN ORDER
DIRECTING THE PARTIES TO FILE
AN EXECUTED DUPLICATE ORIGINAL
OF THE MUTUAL RELEASE AND
SETTLEMENT AGREEMENT

Date: February 21, 1989

Time: 9:00 a.m.

Dept: 56

(FILED UNDER SEAL)

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19
20 TO ALL PARTIES AND COUNSEL OF RECORD:


21
22 PLEASE TAKE NOTICE THAT on February 21, 1989, at 9:00 a.m. in
23 Department 56 of the above-entitled Court at 111 No. Hill Street,
24 Los Angeles, California, BENT CORYDON will move the Court for an
25 order that the parties file a duplicate executed original of the
26 Mutual Release and Settlement Agreement in the within case.
27
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1 Said Motion is identical in all substantive respects to the
2 Motion captioned Motion for an Order Directing Plaintiff
3 Intervenor to File An Executed Duplicate original of the Mutual
4 Release and Settlement Agreement which has been amended only to
5 ask the court that such order be directed to all the parties
6 (Plaintiff, Intervenor and Defendant) rather than only to
7 Plaintiff and Intervenor.

8
9 Said motion will be based upon this notice, the points and
10 authorities, exhibits and declarations submitted herewith, and the
11 complete file of this matter.

12
13 DATED: January 26, 1989

SAYRE, MORENO, PURCELL & BOUCHER

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16 _____
17 FEDERICO C. SAYRE
18 TOBY L. PLEVIN
19 Attorneys for BENT CORYDON
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INTRODUCTION

As part of the Order dismissing this lawsuit, Judge Paul Breckenridge ordered that an executed duplicate original of the parties' "Mutual Release of All Claims and Settlement Agreement" ("Agreement") be filed with the Court. Since the parties have not done so, they should now be ordered to do so. However, because of the nature of that Agreement, it should not be filed under seal. To do so would shield unconscionable conduct by the CHURCH OF SCIENTOLOGY and its attempt to utilize court processes for the purpose of obstructing justice.

I.

THE COURT ORDERED THAT THE MUTUAL RELEASE OF
ALL CLAIMS AND SETTLEMENT AGREEMENT BE FILED.
HOWEVER, THE PARTIES DID NOT OBEY THIS ORDER.

On December 11, 1986, Judge Paul Breckenridge received numerous stipulations and proposed orders from counsel regarding a settlement of the action. One of those documents was captioned "Joint Stipulation of Dismissal." It stated:

"On December 6, 1986, the parties entered into a 'Mutual Release of All Claims and Settlement Agreement.' An executed copy of same Agreement has been filed herein under seal and shall be kept under seal by the Clerk of this Court. This Court shall retain jurisdiction, and may reopen this case at any time for the

1 purpose of enforcing said Agreement."

2 (Emphasis added.)

3
4 A copy of that Stipulation is attached hereto as Exhibit A.

5
6 During the oral proceedings related to the settlement,
7 although the Court questioned counsel about the several
8 stipulations presented, including the Stipulation for Return of
9 Sealed Materials, there was no reference to the terms of the
10 Mutual Release of All Claims and Settlement Agreement (the
11 Settlement). See Exhibit B, Transcript of Proceedings,
12 December 11, 1986. The Order Dismissing Action with Prejudice
13 states that the Settlement was to be maintained under seal by the
14 Court. See Exhibit C. The Minute Order of the same date lists
15 the various stipulations and orders filed on December 11, 1986.
16 The Mutual Release of All Claims and Settlement Agreement was not
17 listed. See Exhibit D, Minute Order of December 11, 1986.

18
19 On December 12, the Court entered an order, attached hereto
20 as Exhibit E, observing that

21 "The Court finds that the document entitled
22 'Mutual Release of All Claims and Settlement
23 Agreement' referred to in the Joint
24 Stipulation of Dismissal as and [sic] executed
25 copy and referred to in the Order Dismissing
26 Action as an executed duplicate original, has
27 not been filed with the court.'" (Emphasis
28 added.)

1 [This raises the question of whether, when he signed the
2 Order Dismissing Action with Prejudice, Judge Breckenridge
3 actually reviewed that document or, rather, relied on counsel's
4 representations, as a matter of routine, that there was an
5 agreement. The reason for questioning whether Judge Breckenridge
6 actually reviewed that agreement will become apparent, infra.]
7

8 On December 17, 1986, the court prepared a minute order
9 noting a second conversation with counsel regarding the fact that
10 the "Mutual Release of All Claims and Settlement Agreement" had
11 still not been filed but that, "in view of the oral agreement of
12 counsel, the 'Order for Return of Exhibits and Sealed Documents'
13 is to be complied with". See Exhibit "F", Minute Order of
14 December 17, 1986. A review of the Register of Actions in this
15 case shows no filing of any Mutual Release and Settlement
16 Agreement on any date subsequent to December 11, 1986. See
17 Certified Copy of Register of Actions attached hereto as
18 Exhibit "G".
19

20 On or about December 23, 1988, a Response to Petition for
21 Writ of Supersedeas was filed with the Court of Appeal in support
22 of this Court's orders of November 9 and 30, 1988 in this matter.
23 Included among the exhibits thereto was (1) a redacted copy of a
24 "Mutual Release Agreement", with an appendix, between the CHURCH
25 OF SCIENTOLOGY and a person whose name was deleted which was
26 executed on December 5, 1986, on behalf of the Church; (2) a
27 document captioned "Settlement Agreement" which identifies
28 settlement amounts for a number of individuals in litigation

1 against the CHURCH OF SCIENTOLOGY, including Gerald Armstrong and
2 an individual named William Franks. It includes Mr. Armstrong as
3 one of twelve clients participating in a collective settlement
4 with the Church concluded on December 11, 1986. It contains Mr.
5 Armstrong's signature and shows a settlement in the amount of
6 \$800,000 for Mr. Armstrong and \$40,000 for Mr. Frank (whereas the
7 Mutual Release Agreement mentions no money consideration but
8 merely purports to effect settlement for silence and a mutual
9 release of claims). All those documents are attached hereto as
10 Exhibit "H".
11

12 On or about December 31, 1988, Mr. Armstrong's attorney, Mr.
13 Michael Flynn, filed a document with the Court of Appeal
14 denominated a Response of Gerald Armstrong. Although hedging as
15 to whether the items comprising Exhibit "H" are what they purport
16 to be, he nevertheless asked the Court that they be "immediately
17 sealed as they are confidential settlement documents not intended
18 to be made public". See Exhibit "I", Response of Gerald Armstrong
19 to Opposition Filed by Real Party Interest. Attached as an
20 Exhibit thereto is a declaration of William Franks which appears
21 to be an admission that those documents were copies of his Mutual
22 Release with the Church and a Settlement Agreement with Mr. Flynn.
23 While these statements are tantamount to an admission that the
24 Mutual Release and the Settlement Agreement are precisely what
25 they purport to be, (that is, the release signed by each of Mr.
26 Flynn's clients including Mr. Armstrong, pursuant to the
27 collective settlement with the Church as reflected in the
28 Settlement Agreement), Mr. Flynn also acknowledged that, contrary

1 to Judge Breckenridge's order, they were never filed with the
2 Court.

3
4 On January 4, 1989, the Court of Appeal denied Mr. Flynn's
5 request that the documents be sealed since they were "not part of
6 the case file in the underlying action." The Court further
7 stated, "The request is denied for failure to demonstrate
8 entitlement." See Order, attached hereto as Exhibit "J".

9
10 Pursuant to the Declaration of Toby L. Plevin, attached
11 hereto, counsel has diligently searched the court files containing
12 documents from all of the 1986 to the present. No Mutual Release
13 of All Claims and Settlement Agreement was found.

14
15 Based on the foregoing, it cannot be reasonably disputed that
16 the Mutual Release of All Claims and Settlement Agreement was not
17 filed as stipulated and ordered. Indeed, given the content of the
18 Mutual Release Agreement as set forth in section II, infra, and in
19 light of the misrepresentations to the court that it had been
20 filed prior to the December 11, 1986 hearing regarding the
21 Settlement, that failure must be deemed a deliberate effort to
22 prevent the court from knowing the unconscionable, unenforceable
23 terms it contains.

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II

1
2 BECAUSE THE MUTUAL RELEASE AGREEMENT CONTAINS
3 TERMS THAT ARE VIOLATIVE OF PUBLIC POLICY AND
4 OBSTRUCT JUSTICE, THE MUTUAL RELEASE MUST BE
5 ORDERED FILED BUT NOT SEALED SO THAT REMEDIAL
6 ACTION CAN BE TAKEN.

7
8 A. The Settlement Agreement Contains Terms
9 Which Violate Public Policy And Are An
10 Obstruction Of Justice.
11

12 The thrust of the Mutual Release is that the party adverse to
13 the CHURCH OF SCIENTOLOGY agrees, under penalty of a \$50,000
14 liquidated damages claim, to refuse to talk to anyone about
15 anything about SCIENTOLOGY unless compelled to by lawful subpoena
16 but also requires that the party evade service of process of any
17 such subpoena. See paragraphs 6G, 6H and 8 of the Mutual Release.
18 It is self evident that such purchased silence has obstructed all
19 other litigants adverse to SCIENTOLOGY, including Mr. Corydon. No
20 doubt this impact will continue until the numerous people who feel
21 burdened by that part of the agreement are released from that
22 burden. (See Declaration of Bent Corydon attached hereto.)
23

24 In sum, the agreement is a violation of public policy and
25 must be brought to light to be countered because of its continuing
26 impact as an obstruction of justice. California case law requires
27 this result.

28 / / /

1 On point is Mary R. v. B & R Corporation (1983) 196 Cal.Rptr.
2 781, 149 Cal.App.3d 308, where a physician, accused of molesting a
3 minor, settled with a stipulation that the minor would not discuss
4 the events giving rise to the lawsuit. This settlement became an
5 order of the court, and when the Attorney General's office moved
6 to set it aside, the motion was denied. On appeal, the agreement
7 was held to be against public policy, wrongfully placing a party
8 under fear, and thereby prohibiting the Board of Medical Quality
9 Assurance (BMQA) from discovering facts. Mary R. approved Bianco
10 v. Superior Court, 265 Cal.App.2d 126 statement that "[a] law
11 established for public reason cannot be waived or circumvented by
12 a private act or agreement." The court in Mary R. further stated
13 the agreement was a "ploy obviously designed by the physician to
14 aid him to avoid the professional regulation. . . ." and an
15 "agreement to conceal judicial proceedings and obstruct justice."

16
17 While in Mary R. the BMQA had a statutory obligation to
18 regulate the practice of medicine and must investigate misconduct,
19 in civil lawsuits, brought under the color of law, a litigant has
20 the right to "investigate" charges made against him and to
21 discover facts in his favor by interviewing witnesses. For an
22 adverse litigant to pay a witness not to cooperate is clearly an
23 obstruction of justice.

24
25 In Tappan v. Albany Brewing Company, 80 Cal. 570, the court
26 invalidated a settlement agreement, stating:

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1 "It was contended by the Respondent that this
2 was nothing more than a payment of a sum of
3 money by way of a compromise of litigation,
4 and that such contracts have been upheld. We
5 do not so construe the agreement. It was a
6 promise to pay a consideration for the
7 concealment of a fact from the court and the
8 parties material to the rights of said
9 parties, and which it was her duty to make
10 known. Such a contract was against public
11 policy. . . ". (Emphasis added.)
12

13 In Maryland C. Co. v. Fidelity & Cas. Co. of N.Y., 71
14 Cal.App. 492, the court noted the duty to refuse to enforce an
15 illegal contract or one against public policy. The court approved
16 language of Eggleston v. Pantages, 103 Wash. 458:

17 "After the papers had been served a contract
18 was made between the parties whereby, in
19 consideration to make a promise to pay a
20 certain sum of money the Plaintiff agreed to
21 withhold the complaint from the files and give
22 no information to anyone concerning the same
23 for the commencement of the suit, thereby
24 preventing those interested from knowing the
25 true state of facts. Here was a clear attempt
26 to conceal judicial proceedings and to
27 obstruct justice for the purpose of wronging

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1 others interested. Agreements of this
2 character are clearly against public policy."
3

4 In addition to preventing access to important information via
5 buying the silence of witnesses, not only does the Church seek to
6 keep this file sealed because of the purported privacy interests,
7 but they have made it a practice to refuse to settle cases unless
8 agreements are entered into sealing Court files. See Reporter's
9 Transcript of Proceedings, December 11, 1986, attached hereto as
10 Exhibit "B", p. 6, lines 25-28 where counsel for the Church
11 stated:

12
13 "That is the procedure that the Church has
14 insisted on and all courts have agreed to in
15 various other Scientology cases involving
16 Mr.Flynn and others which have settled:"
17

18 Accordingly, the purported privacy interest in this Court
19 file is laid bare as a pretext, and furthermore, other adverse
20 parties, such as Mr. Corydon herein have had to suffer needless
21 litigation regarding issues which have already been litigated.
22 For example, collateral estoppel bars Plaintiffs from denying that
23 (1) Scientology has pursued an active fair game policy against its
24 enemies, or (2) that it routinely violates the priest-penitent
25 confidentiality of records of "troublemakers". (See Memorandum of
26 Intended Decision, attached hereto as Exhibit "J", at p.7, line 26
27 through p.8, lines 25.)

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1 In fact, such agreements are not merely a violation of public
2 policy, they may be considered criminal violations in light of
3 Penal Code § 138. Penal Code § 138 makes it a felony to offer any
4 form of bribe with understanding that person shall not attend a
5 trial or other judicial proceedings. Since the persons with whom
6 these agreements were made are prospective witnesses who are
7 prohibited from being "amenable to subpoena", they violate § 138.
8 Furthermore, when individuals are beyond subpoena power, a
9 contract to not cooperate with an adverse litigant must be
10 considered a violation of that provision as well.

11
12 Alternatively, to the extent that a party to these agreements
13 is only a potential witness to whom the statute may not apply per
14 se, nevertheless, the statute establishes beyond a doubt that such
15 potential interference with witnesses is an obstruction of justice
16 in violation of public policy.

17
18 B. The Fact That The Contracts To Keep Quiet
19 Were Part Of Settlement Agreements Is Not
20 Material.

21
22 The Church is certain to complain, in opposition, both that
23 filing the Agreement and/or filing it without a sealing order
24 would be tantamount to voiding contractual provisions which were
25 part of the consideration for which they settled. This argument
26 is invalid for three reasons: (1) two parties cannot create a
27 contract which will deny protection of the law to a third party;
28 (2) the courts cannot enforce a provision against public policy

1 simply because failure to enforce it would leave one or more of
2 the parties' unjustly enriched, (3) the court cannot be bound by
3 the parties contract, especially an illegal contract.
4 Furthermore, since it was falsely represented to the Court that
5 the Mutual Release of All Claims and Settlement Agreement had been
6 filed with the Court, they cannot now be heard to complain that to
7 do so would endanger anyone's interests.

8
9 Clearly, it is an obstruction of justice to pay off witnesses
10 not to cooperate voluntarily with adverse parties. That the
11 payment came under a "settlement" does not change the effect or
12 the intent. It is still the purchase of a witness's silence.
13 This issue was addressed in Fong v. Miller, 105 Cal.App.2d 411,
14 233 P.2d 606 (1951) wherein the court stated:

15
16 "Appellants bitterly complain that the court's
17 action leaves the Respondent unjustly
18 enriched. The complaint is a familiar one, it
19 is generally made by those who, deeming
20 themselves wronged by their companions in
21 illegal ventures, find themselves denied of
22 any right to enforce their unlawful
23 agreements. Their pleas have always been
24 unavailing. This rule is not generally
25 applied to secure justice between parties who
26 have made an illegal contract, but from regard
27 for a higher interest - that of the public,

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whose welfare demand that certain transactions
be discouraged." Id. at 414-415.

We assume the Church will further claim there is no
obstruction because individuals (at least those who do not avoid
valid process) can be deposed. However, Mr. CORYDON cannot get
the same assistance by deposition that he can by cooperation
especially when that person fears a lawsuit for \$50,000 liquidated
damages! Furthermore, depositions have certain rules and limited
time, as well as considerable expense. Some of the parties to the
settlement agreement individuals reside outside of California and
their knowledge is quite extensive. Depositions cannot substitute
for voluntary cooperation, such as appearance at trial, nor should
such economic burden be placed on Mr. Corydon just to interview
witnesses. Further, he has the right, when possible, to prepare
his defense by private interviews of prospective witnesses, not
just paid-for depositions that have his adversaries present.
Finally, the party who does not avoid valid process is subject to
the threat of a \$50,000 liquidated damage claim!

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1 C. Because Of Its Unclean Hands, The Church
2 Is Not Entitled To The Protection That
3 Sealing The Release Would Afford Them.
4 The Inherent Powers Of The Court Permit
5 It To Order The Filing Without Such
6 Protection.

7
8 The Church is sure to protest that if ordered to file the
9 Mutual Release and Settlement Agreement that it must be filed
10 under seal pursuant to Judge Breckenridge's order. Their argument
11 will be that the Agreement is confidential and that it is
12 important to protect privacy interests pending the determination
13 of their writ and/or appeal. However, as parties with unclean
14 hands they must be denied such protection.

15
16 In Stone v. Bach (1978) 80 Cal.App.3d 442, 145 Cal.Rptr. 599,
17 the court stated:

18
19 ". . . it would be a flagrant abuse of the
20 principles of equity and of the administration
21 of justice to consider the demands of a party
22 who becomes a voluntary actor before a court
23 and seeks its aid while he stands in contempt
24 of its legal orders and processes."

25
26 80 Cal.App.3d at 444.

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1 Further, the Stone court specifically noted that it was
2 contemptuous to avoid process while seeking judicial
3 consideration. Id. at 601. Here the Church has compelled the
4 agreement of others to avoid process as the price of their peace.

5
6 The case of Hull v. Superior Court of Los Angeles (1960) 54
7 Cal.2d 139, 5 Cal.Rptr. 1, is also pertinent. In that case the
8 California Supreme Court stated, "A court should have the right to
9 deny its process and aid to one who stands in contempt or is in
10 contempt of its orders. One who has willfully refused to comply
11 with the mandate of a court cannot then compel that court to do
12 its bidding." Id. at 5.

13
14 Finally, an order to file the Mutual Release and Settlement
15 Agreement but not seal it would, under the circumstances herein,
16 be well the inherent powers of this court. C.C.P. § 128.

17
18 C.C.P. § 128 states that every court shall have the power to
19 control the conduct of persons connected with judicial proceedings
20 and every matter pertaining thereto. In Rosato v. Superior Court
21 of Fresno County, 124 Cal.Rptr. 427, 51 Cal.App.3d 206, the court
22 noted C.C.P. § 128 "neither created nor circumscribed the powers
23 thus defined", but is a statutory confirmation of the court's
24 power which has been explicated and amplified by court decision.
25 The courts have the power to insure the orderly administration of
26 justice.

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1 As stated in People v. Smith, 91 Cal.Rptr. 786, 13 Cal.App.3d
2 897, the courts have inherent power to control judicial
3 proceedings and to see to it that all persons, including parties,
4 indulge in no act or conduct calculated to obstruct administration
5 of justice. See also Cooper v. Superior Court in and for Los
6 Angeles County, 10 Cal.Rptr. 842, 55 Cal.2d 291.

7
8 In Venice Canals Resident Homeowners v. Superior Court, 140
9 Cal.Rptr. 361, 72 Cal.App.3d 675, petitioners brought an action
10 under C.C.P. § 1084.5 to review granting of building permits. As
11 a condition of a stay order, the court ordered a bond to be
12 posted. The petitioners appealed asserting the code section did
13 not require bond or undertaking. The appellate court acknowledged
14 the same but stated the authority existed under the inherent power
15 of the trial court to exercise reasonable control over litigation
16 and the power to achieve justice, stating:

17
18 "The inherent power of all courts to control
19 and prevent abuses in the use of their
20 process. . . does not depend upon
21 constitutional or legislative grant but is
22 inherently necessary to the orderly and
23 efficient exercise of jurisdiction."

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25 72 Cal.App.3d at 680.

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CONCLUSION

Given the foregoing, the following conclusions are necessary:

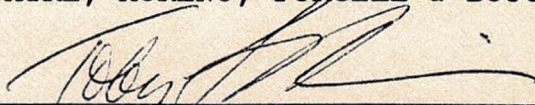
- (1) The parties did not file an executed duplicate original of the Mutual Release of All Claims and Settlement Agreement as ordered;
- (2) Defendant/Cross-Complainant Gerald Armstrong did not file the documents because the very terms of his agreement prevented him from disclosing its terms;
- (3) The parties should be ordered to file the document entitled Mutual Release of All Claims and Settlement Agreement forthwith; and
- (4) The document(s) thus filed should not be sealed.

BENT CORYDON urges the Court to make such findings and issue such orders in the interest of justice.

DATED: January 26th, 1989

PAUL MORANTZ
P.O. Box 511
Pacific Palisades, CA

SAYRE, MORENO, PURCELL & BOUCHER



FEDERICO C. SAYRE
TOBY L. PLEVIN
Attorneys for Plaintiffs

DECLARATION OF TOBY L. PLEVIN

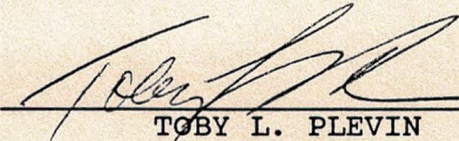
I, Toby L. Plevin, declare as follows:

1. I am an attorney at law, duly licensed to practice in all courts of the State of California and am an associate with the law firm of Sayre, Moreno, Purcell & Boucher. I have been assigned to represented Bent Corydon in the above captioned matter.

2. I have conducted a diligent search of the within file in all volumes with material from the year 1986 to the present. No Mutual Release and Settlement Agreement is in the file.

3. The Register of Actions does not indicate that any such document has been filed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20th day of January, 1989, in Los Angeles, California.



TOBY L. PLEVIN
Declarant

DECLARATION OF BENT CORYDON

1
2
3 I, BENT CORYDON, declare as follows:
4

5 1. To my information and belief, the Mutual Release
6 Agreement, attached as part of Exhibit H to the motion, are true
7 and correct copies of the releases that various individuals
8 adverse to Scientology had to accept in order to settle with the
9 Church.
10

11 2. Prior to the execution of the same, I spoke freely
12 concerning Scientology with Bill Franks, Nancy Dincalci, Kima
13 Douglas, Laurel Sullivan, Edward Walters, Howard Schomer, Martin
14 Samuels and Gerald Armstrong.
15

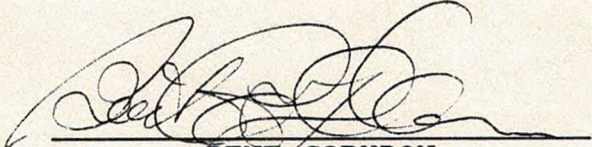
16 3. Each of these individuals provided me with information
17 that led to my forming opinions concerning the Plaintiffs stated
18 in the media broadcasts over which I have been sued for
19 defamation. Further, these individuals have advised me concerning
20 illegal and harassing tactics of the Church of Scientology.
21

22 4. Since the people identified above settled with the
23 Church, they have not been available to confer with me to prepare
24 affidavits for me or to testify regarding pertinent events. All
25 of those people, except Laurel Sullivan have expressly told me
26 that they can not even talk with me or my attorneys about
27 Scientology. They each have potential value as witnesses in my
28

1 lawsuits with the church. Laurel Sullivan has conveyed through
2 others that she will not talk to me at all.

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I declare under penalty of perjury that the foregoing is true
and correct. Executed this 26th day of January, 1989, in Los
Angeles, California.



BENT CORYDON
Declarant

1 BRUCE BUNCH
2 CONTOS & BUNCH
3 5855 Topanga Canyon Boulevard
4 Suite 400
5 Woodland Hills, CA 91367
6 (818) 716-9400
7 Attorneys for Cross-Complainant
8 Gerald Armstrong

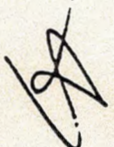
6 JOHN G. PETERSON
7 PETERSON AND BRYNAN
8 8530 Wilshire Boulevard
9 Suite 407
10 Beverly Hills, CA 90211
11 (213) 659-9965

10 Attorneys for Plaintiff and
11 Cross-Defendant CHURCH OF
12 SCIENTOLOGY OF CALIFORNIA

FILED

DEC 11 1986

FRANK S. ZOLIN County Clerk



Rosie M. Hart
BY ROSIE M. HART, DEPUTY

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 FOR THE COUNTY OF LOS ANGELES

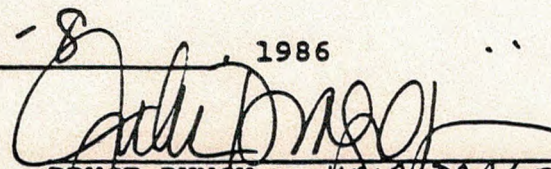
15 GERALD ARMSTRONG,)	No. C 420 153
)	(Severed Action)
16 Cross-Complainant,)	
)	
17 v.)	JOINT STIPULATION
)	OF DISMISSAL
18 CHURCH OF SCIENTOLOGY OF)	
19 CALIFORNIA, a California)	
Corporation,)	
)	
20 Cross-Defendant.)	
)	

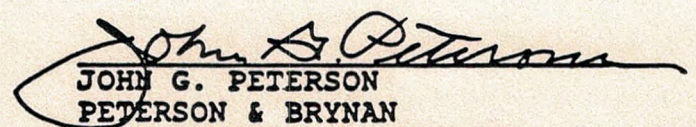
22
23 In satisfaction of valuable and other consideration
24 tendered to the Cross-Complainant by the Cross-Defendant,
25 receipt of which is hereby acknowledged, the parties to the
26 above-entitled action, pursuant to California Code of Civil
27 Procedure § 581 hereby stipulate that said Cross-Complaint be
28 dismissed with prejudice.

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On December 6, 1986, the parties entered into a "Mutual Release of All Claims and Settlement Agreement." An executed copy of same Agreement has been filed herein under seal and shall be kept under seal by the Clerk of this Court. This Court shall retain jurisdiction, and may reopen this case at any time for the purpose of enforcing said Agreement.

DATED: 12-8 1986


~~BRUCE BUNCH~~ ~~JULIA DRAGOJEVIC~~
CONTOS & BUNCH
5855 Topanga Canyon Boulevard
Suite 400
Woodland Hills, CA 91367
(818) 716-9400


JOHN G. PETERSON
PETERSON & BRYNAN
8530 Wilshire Boulevard
Suite 407
Beverly Hills, California 90211
(213) 659-9965

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 57

HON. PAUL G. BRECKENRIDGE, JR., JUDGE

GERALD ARMSTRONG,

Cross-Complainant,

vs.

No. C 420 153

CHURCH OF SCIENTOLOGY OF CALIFORNIA,

Cross-Defendant.

MARY SUE HUBBARD,

Intervenor.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Thursday, December 11, 1966

APPEARANCES:

For the Cross-Complainant:

CONTOS & BUNCH
By: JULIA DRAGOJEVIC and
MICHAEL FLYNN
5855 Topanga Canyon Boulevard
Suite 400
Woodland Hills, California 913677

For the Cross-Defendant:

PETERSON & BRYNAN
By: JOHN G. PETERSON
8530 Wilshire Boulevard, Suite 407
Beverly Hills, California 90211

(Appearances Continued Inside)

COPY

NANCY L. HARRIS, CSR No. 644
Official Reporter

EXHIBIT 2

1 APPEARANCES: (Continued)

2

3 For the Founding
4 Church of Scientology
5 and Intervenor:

MICHAEL LEE HERTZBERG
Pro Hac Vice
275 Madison Avenue
New York, New York 10016

5

6 Also Present:

LAWRENCE E. HELLER

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1 LOS ANGELES, CALIFORNIA; THURSDAY, DECEMBER 11, 1986; 4:03 P.M.

2 ---002---

3
4 THE COURT: All right. The parties are here on Armstrong
5 versus Church of Scientology.

6 MR. FLYNN: We are here.

7 After lengthy negotiations, Your Honor, between
8 myself and Mr. Hertzberg on behalf of the Church and
9 Mary Sue Hubbard, we are extremely happy to report to the
10 court that the court will not have to try this case, this
11 counterclaim in March.

12 The parties have received the case to the satisfac-
13 tion of Mr. Armstrong and to myself and to Mr. Hertzberg's
14 client.

15 THE COURT: How about Miss Dragojevic?

16 MS. DRAGOJEVIC: I think I will go along with it.

17 MR. PETERSON: Maybe we should identify ourselves for
18 the record.

19 THE COURT: Yes, probably a good idea.

20 MR. FLYNN: Michael Flynn for Gerald Armstrong.

21 MS. DRAGOJEVIC: Julia Dragojevic for Gerald Armstrong.

22 MR. HELLER: Lawrence Heller, and I am here in case there
23 were any questions. I had a little input in the settlement.

24 MR. PETERSON: John Peterson for the Church of
25 Scientology of California.

26 MR. HERTZBERG: Michael Lee Hertzberg for Mary Sue
27 Hubbard, who is the intervenor in the underlying original case
28 of the Church of Scientology against Gerald Armstrong.

1 MR. FLYNN: Pursuant to the settlement, Your Honor, the
2 parties have entered into a stipulation which we will provide
3 the court to have the return of all documents to the Church
4 with the exception of six documents which are currently under
5 litigation in United States versus Scientology, the case that
6 the government is trying to get six exhibits on, and the order
7 that we provided to the court contemplates the exemption of
8 those six exhibits.

9 We have also entered into a stipulation with
10 regard to the sealing of the court records, and I believe
11 Mr. Hertzberg has copies.

12 MR. PETERSON: I have the original of the stipulations
13 and the order. I would present it to the clerk for filing
14 and she could give it to the court. Might want to follow
15 along.

16 THE COURT: I have read the proposed stipulation and
17 order that have been submitted. And the question arises in my
18 mind, what about the -- does this dismissal have anything at
19 all to do with the underlying case that is presently on
20 appeal?

21 MR. FLYNN: It doesn't, Your Honor.

22 Certain issues in that case are going to remain
23 on appeal pursuant to the stipulation of the parties.

24 THE COURT: Well, won't those exhibits have to remain
25 with the court? As that matter is still on appeal?

26 MR. HERTZBERG: Your Honor --

27 THE COURT: I don't mean the ones that are just sitting
28 down in the clerk's office, but I mean the ones that have been

1 marked and received either as an exhibit for identification or
2 received in evidence in the case.

3 MR. HERTZBERG: I don't believe they all do, Your
4 Honor.

5 I think that the court of appeal has chosen
6 certain exhibits, a discrete number of them which they have
7 before them and they have made that choice, so I don't think --
8 certainly as Your Honor has recognized, none of the other
9 documents would be affected, and I don't know how many
10 documents we are talking about that may be before the court
11 of appeal --

12 THE COURT: Well, I mean, there is a problem. I don't
13 know what the court of appeal is going to do.

14 Let's assume they reverse it and send it back for
15 a new trial. I assume these exhibits will still have to be
16 used if the case is going to be retried on the underlying
17 complaint.

18 MR. FLYNN: Pursuant to the issues that are remaining,
19 Your Honor, I think that the parties' overall stipulation is
20 such that we will not need those exhibits on any retrial if,
21 in fact, there is a retrial.

22 I think Mr. Armstrong is satisfied, and I know
23 I am satisfied, that we won't need them.

24 MR. HERTZBERG: Your Honor, that was a decision that is
25 part of the agreement that was made, a very important part of
26 it, may I add an indispensable part of it. And after
27 Mr. Armstrong consulted with counsel, this is part of what we
28 bargained for.

1 So they are willing to proceed on that basis, and
2 I don't think that the court should get involved, frankly.

3 THE COURT: Well, I am just trying to raise an issue
4 here. I don't want six months downstream or a year somebody
5 to start screaming, "Where are these exhibits? We need to
6 retry this case."

7 If the court of appeal does one thing, they
8 affirm, there may be a petition for hearing with the
9 California Supreme Court or with the United States Supreme
10 Court..

11 MR. HERTZBERG: Your Honor, we contemplated all that.

12 That is why these negotiations were so arduous
13 and time consuming, and we have arrived today, all those
14 possibilities were discussed between our side and Mr. Flynn,
15 and each side knows what they are bargaining for here. And
16 Mr. Armstrong has signed a stipulation for return of sealed
17 materials and exhibits which is before Your Honor.

18 The order tracks that. It has the additional
19 language in it that it exempts from the scope of the return
20 those documents that the federal court might be interested in,
21 and that is what the agreement was between the parties.

22 THE COURT: What exhibits does the court of appeal
23 have?

24 MR. FLYNN: I am not sure, Your Honor, but I suppose,
25 having argued the appellate case, I suppose there is a simple
26 answer, also, to Your Honor's question in light of the
27 stipulation. The appeals court could always simply request
28 whatever exhibits it wants from the appellant in that case.

1 THE COURT: In Los Angeles we call it appellant.

2 MR. FLYNN: The appellant, whoever it is, them.

3 THE COURT: That is with the French, Bostonian or
4 something.

5 MR. HERTZBERG: Your Honor, I am informed that the court
6 of appeal asked for 50 documents and they have them. So for
7 the moment, presumably those could not be returned by the
8 clerk of this court.

9 THE COURT: Well, it is the parties' agreement, then,
10 but whatever they have got, the county clerk is no longer to
11 be custodian of those and they will be returned to the parties
12 by stipulation of the parties.

13 MR. HERTZBERG: That is what we stipulated to in
14 writing. That is an integral part of this settlement.

15 MR. PETERSON: And when the 50 documents come back --

16 THE COURT: If it is what the parties want to do, it is
17 okay with me.

18 MR. PETERSON: And when the 50 documents come back from
19 the court of appeal, they also will be turned over to the
20 Church.

21 THE COURT: I think that the court would require a
22 further joint order or stipulation.

23 In other words, I don't want to turn those over
24 if a remittitur comes down, regardless of what it is, or some
25 clerk turns them over without knowing whether or not they
26 might be further needed.

27 MR. HERTZBERG: We agree to that right now.

28 MR. FLYNN: That would be agreeable.

1 THE COURT: Just by stipulation of the parties, it can
2 be released at that time.

3 MR. HELLER: Your Honor, for what little I can give,
4 this insight was accurate.

5 This was an issue that was discussed at length
6 between the parties when negotiations were going on.

7 MR. FLYNN: It is apparently contemplated in
8 paragraph 3 of the proposed order, Your Honor.

9 THE COURT: Well, this implies that immediately when
10 they are returned that they be immediately turned over to
11 the Church without any further --

12 MR. FLYNN: That is agreeable.

13 MR. HERTZBERG: That is agreeable.

14 MR. FLYNN: To Mr. Armstrong.

15 MR. HERTZBERG: This is part of this rather complex
16 process that we have all agreed on.

17 THE COURT: What is this -- under this stipulated
18 sealing order paragraph 2 provides that the entire remaining
19 records of this case, save only this order, the order of
20 dismissal of the case, and then the order necessary to
21 effectuate this order and the order of dismissal, are agreed
22 to be placed under seal of the court.

23 What is it that you have in mind, the file
24 itself?

25 MR. HERTZBERG: Yes, Your Honor. That is the procedure
26 that the Church has insisted on and all courts have agreed to
27 in various other Scientology cases involving Mr. Flynn and
28 others which have been settled.

1 MR. FLYNN: We settled, Your Honor, several cases in
2 the federal district court in Tampa, Florida and recently six
3 cases in the federal district court in Los Angeles.

4 THE COURT: I just want to know what is contemplated so
5 the clerk won't be running around and --

6 MR. FLYNN: I'd say the entire record, I mean the
7 court file.

8 THE COURT: There was a reporter's transcript. There
9 was an original and copies prepared.

10 Of course, those went to the court of appeal.

11 MR. FLYNN: Whatever is in the physical possession of
12 the court --

13 THE COURT: I guess we are talking just basically this
14 multiple set of files will be placed under some kind of seal.

15 MR. HERTZBERG: Your Honor, presumably any materials
16 that come from the court of appeal would then be integrated
17 under that seal.

18 THE COURT: Yes. That would be so understood.

19 Of course, there have been innumerable people in
20 the interim who have come forward and examined the file. I
21 haven't the slightest idea who all those people are, but
22 certainly we can't go back and retract from them whatever they
23 have seen or observed or copied.

24 MR. HERTZBERG: We understand, Your Honor.

25 THE COURT: All right. Then, the court will sign the
26 respective orders.

27 Is that all?

28 MR. FLYNN: Thank you, Your Honor.

1 THE COURT: I guess we should vacate the trial date.

2 Any other motions?

3 MS. DRAGDJEVIC: Mandatory settlement conference.

4 MR. FLYNN: I am sure Your Honor is very sorry to hear
5 all this.

6 THE COURT: We wish you all good luck in the future.

7 You are all welcome to come back and try more
8 cases. Some other subject, perhaps.

9 MR. FLYNN: Being from Boston, I'd like to personally
10 thank you for all your courtesies in the court.

11 THE COURT: Well, we aim to please.

12 MR. HERTZBERG: I don't want to be overly inquisitive,
13 but has Your Honor signed the order dismissing the case?

14 THE COURT: I signed whatever orders were submitted.
15 Includes a dismissal.

16 MR. PETERSON: We will verify with the clerk and get a
17 conformed copy.

18 THE CLERK: Do you have originals of these?

19 MR. HELLER: I think those are all originals.

20 THE CLERK: Originals, but they are copies of documents.

21 MR. PETERSON: I think the problem, some of them were
22 signed in counterpart.

23 MR. HELLER: We tried to get all signatures on one
24 because one of them has five or six signatures.

25 THE COURT: Why don't you look over what is there?

26 MR. PETERSON: I think we can work it out with the clerk,
27 any problems with original versus copy, and take care of it.

28 (At 4:17 p.m. the proceedings were adjourned.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 57

HON. PAUL G. BRECKENRIDGE, JR., JUDGE

GERALD ARMSTRONG,

Cross-Complainant,

vs.

CHURCH OF SCIENTOLOGY OF CALIFORNIA,

Cross-Defendant.

No. C 420 153

REPORTER'S CERTIFICATE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

ss

I, NANCY L. HARRIS, Official Reporter of the Superior Court of the State of California, for the County of Los Angeles, do hereby certify that the foregoing pages, 1 to 8, inclusive, comprise a true and correct transcript of the proceedings held in the above-entitled matter on December 11, 1956.

Dated this 15th day of December, 1956.

_____, CSR No. 644
Official Reporter

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

GERALD ARMSTRONG,
Cross-Complainant,
v.
CHURCH OF SCIENTOLOGY OF
CALIFORNIA, a California
Corporation,
Cross-Defendant.

No. C 420 153
(Severed Action)

ORDER DISMISSING ACTION
WITH PREJUDICE

ORIGINAL FILED
DEC 11 1986
COUNTY CLERK

Upon consideration of the parties' Stipulation for Dismissal, the "Mutual release of All Claims and Settlement Agreement" and the entire record herein, it is

ORDERED AND ADJUDGED:

1. That this action is dismissed with prejudice.
2. That an executed duplicate original of the parties' "Mutual Release of All Claims and Settlement Agreement" filed herein under seal shall be retained by the Clerk of this Court under seal.

Dated: December 11, 1986

Paul G. Breckenridge, Jr.
Hon. Paul G. Breckenridge

Date DEC.11,1986

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE P G BRECKENRIDGE, JR JUDGE

Deputy Sheriff

Court Attendant

R HART

Deputy Clerk

N HARRIS

Reporter

(Parties and counsel checked if present)

2. S YAKOUBIAN

C420153
GERALD ARMSTRONG,

VS

CHURCH OF SCIENTOLOGY OF
CALIFORNIA,

Counsel for CONTOS & BUNCH

X- Plaintiff BY: JULIA DRAGOJEVIC ✓
MICHAEL FLYNN ✓

Counsel for PETERSON & BRYNAN

X- Defendant BY: JOHN G. PETERSON ✓
MICHAEL HERTZBERG ✓ for M. Hubbard
also appearing, LENSKE, LENSKE &

HELLER BY: LAWRENCE E. HELLER ✓

~~XXXXXXXXXXXXXXXXXXXX~~

NATURE OF PROCEEDINGS: JOINT EX-PARTE APPLICATION FOR DISMISSAL

Pursuant to stipulation of the parties, the cross-complaint is dismissed with prejudice.

Further orders are made pursuant to stipulation, including the following: The Court retains jurisdiction to enforce the settlement agreement; all documents surrendered to the court or marked as exhibits shall be returned to the Church of Scientology or its attorneys forthwith except six, 500-CCCCC, 500-KKKKK, 500-LLLLLL, 500-00000, 500-PPPPP and 500-000000; the entire remaining record of this case, except the "Stipulated Sealing Order" and "Order Dismissing Action With Prejudice" filed this date, are ORDERED SEALED and not to be opened or inspected without prior order of Court.

The following listed documents are filed this date: Joint Stipulation of Dismissal, Order Dismissing Action With Prejudice, Stipulation for Return of Sealed Materials and Exhibits, Order for Return of Exhibits and Sealed Documents, and Stipulated Sealing Order.

EXHIBIT D

MINUTES ENTERED
12-11-86
COUNTY CLERK

Date DEC. 12, 1986

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE G BRECKENRIDGE, JR JUDGE
Deputy Sheriff
NONE Court Attendant

R HART Deputy Clerk
NONE Reporter
(Parties and counsel checked if present)

C420153
GERALD ARMSTRONG,

Counsel for
X-- Plaintiff

VS

Counsel for
X-- Defendant

CHURCH OF SCIENTOLOGY OF
CALIFORNIA,

NATURE OF PROCEEDINGS: ORDER

The Clerk having this date had conversations with counsel for cross-defendant, John G. Peterson, the Court finds that the document entitled "Mutual Release of All Claims and Settlement Agreement" referred to in the Joint Stipulation of dismissal as and executed copy and referred to in the Order Dismissing Action as an executed duplicated original, has not been filed with the court.

Good cause appearing therefor, the Court orders that the County Clerk may maintain the remaining six (6) exhibits in the normal and regular manner of handling sealed exhibits.

EXHIBIT E

MINUTES ENTERED
12-12-86
COUNTY CLERK

Date DEC. 17, 1986 SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE P.G. BRECKENRIDGE, JUDGE
Deputy Sheriff
Court Attendant

R. HART
NONE

Deputy Clerk
Reporter

2.

(Parties and counsel checked if present)

C420153
GERALD ARMSTRONG

X- Counsel for
Plaintiff

VS

X- Counsel for
Defendant

CHURCH OF SCIENTOLOGY OF
CALIFORNIA,

NATURE OF PROCEEDINGS: COURT ORDER AO

The Clerk has had telephone conversations with counsel for cross-complainant, Julia Dragojevic and counsel for cross-defendant, John Peterson on two (2) separate occasions. Pursuant to oral agreement of both counsel that notwithstanding the fact that the document entitled, "Mutual Release of All Claims and Settlement Agreement", has not been filed, the "Order for Return of Exhibits and Sealed Documents" is to be complied with.

Pursuant to Court order exhibits 500-CCCCC, 500-KKKKK, 500-LLLLL, 500-OOOOO, 500-PPPPP and 500-QQQQQ and their copies are to remain sealed in the custody of the Superior Court Exhibit Custodian, not to be opened without prior order of Court.

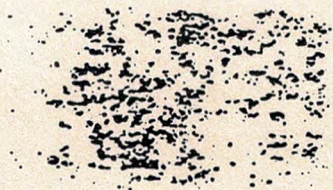


EXHIBIT F

(2)

DEPT. 57

MINUTES ENTERED
12-17-86
COUNTY CLERK

CHURCH SCIENTOLOGY CALIF

GREY-KOHLWECK

ARMSTRONG GERALD

ET AL

Cortez & Bunch

Barrett S. Litt 7.10.85

NATURE OF ACTION MISC CIVIL COMPLAINT-MONEY INVOLVED CODE 0601

REPORTER Y. Yamada 9-24-82

REPORTER

YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEES
1982	AUG	02	COMPLAINT FILED AND SUMMONS ISSUED		86.0
82	8	3	CSC Re prelim inj 9-24-82 9AM D85	✓	14-
82	8	4	Plff v. U.S. Dep. of Justice, U.S. Commission on Int'l Trade, Exemption Authority, Calif. (CIVIL 82-7)	✓	
82	8	10	Plff Ex parte applic' for an OJD prohibiting - like for NRG	✓	
82	8	10	Plff OJD for service of ntc of ymo & ymo for issuance of Commission	✓	
82	8	10	Plff ntc of ymo for issuance of Commission 8-16-82 9AM D82	✓	14-
82	8	16	Plff ntc of ymo		D.F.2
82	8	23	Associated of counsel	✓	
82	8	27	Order shortening time for service of ntc of ymo & ymo for issuance of Commission to take out of state depositions 9-15-82 9am D-82	✓	
82	8	27	Ex Parte Appl. for an order shortening time for hearing of ymo for the issuance of Commission to take an OJD of state deposition	✓	
82	8	27	ntc of ymo + ymo for issuance of Commission take depositions outside Calif.	✓	14-
82	8	25	Undertaking for TRC By Highlander for R. of Harts, TX In the sum of \$25,000 Dated 8-25-82	✓	
82	8	31	Plff proof of SERVICE	✓	
82	9	11	Gerald Armstrong and; (Cortez) (Bunch)	✓	63-
82	9	24	OJC re preliminary inj + OJC are denied at discharge	✓	
82	8	24	Ex parte Appl for reconsideration of temp ntc of ymo in Supp 8-24-82 1:30pm D85	✓	
82	9	21	Suppl. OJD of an OJC re preliminary inj 9-24-82 D85	✓	
82	9	21	Plff v. U.S. Dep. of Justice, U.S. Commission on Int'l Trade, Exemption Authority, Calif. (CIVIL 82-7) Resp + OJD re preliminary inj 9-24-82 7am D85	✓	

EXHIBIT G

YEAR	MONTH	DAY		FILED DOC	FEES
80	9	20	MEMO in app to OSC w preliminary 9-24-82 9AM 085		
80	9	1	ord		
80	9	10	MEMO of P+R in app Supp of OSC 9-24-82 9AM 085		
80	8	31	Letter of Service + met for issuance		
80	8	27	Update Appl for ord met for the issuance 07-08 8-27-82 1:30P 9-1-82 082		
80	8	24	temp order 9-24-82 9AM 085		
80	8	5	Appl for OSC re preliminary + temp order 9-24-82 9AM 085		
80	8	3	MEMO of P+R in Supp of Appl for temp order + OSC 9-24-82 9AM 085		
80	8	26	ntc of Association of Counsel		
80	8	24	Amended Association of Counsel		
82	10	4	preliminary injunction		
82	Oct	6	Undertaking for preliminary By <u>Hughes</u> for <u>W. H. Hughes, Jr.</u> In the sum of \$1000 Dated 10-6-82		
82	Oct	12	Help of <u>W. H. Hughes, Jr.</u> 9:00 AM court call prod of <u>W. H. Hughes, Jr.</u> 10-28-82 9AM 085	1/14	
82	Oct	12	Help of <u>W. H. Hughes, Jr.</u> to state position of <u>W. H. Hughes, Jr.</u> 10-27-82 9AM 083	1/14	
82	Oct	12	Help of <u>W. H. Hughes, Jr.</u> re: like sum to <u>W. H. Hughes, Jr.</u> to <u>W. H. Hughes, Jr.</u> 10-27-82 9AM 083		
82	10	14	Letter of service by mail		
82	Oct	14	Help of <u>W. H. Hughes, Jr.</u> re: like sum to <u>W. H. Hughes, Jr.</u> to <u>W. H. Hughes, Jr.</u> 10-9-82 9AM 083	1/14	
82	10	19	ntc. of withdrawal of counsel	1/1	
82	10	19	summons		
82	Oct	21	ntc of withdrawal of atty of record		
82	10	27	Mem. Court 30 days to amend Mo 110 OF2		
82	10	25	Counsel ord re meet + confer OF2		
82	10	28	Order re proposed mo re discovery		
82	10	21	Order to dem + mo		
82	11	10	Interferences with right of appeal <u>W. H. Hughes, Jr.</u> because of interference (clerk OF2)		
82	11	9	mo GRD. & Denied in part D 82		
82	11	18	v-partie applie for an ord shortening time	1/14	
82	11	18	ord sh + ninc + time		
82	Nov	17	Help of <u>W. H. Hughes, Jr.</u> re: like sum to <u>W. H. Hughes, Jr.</u> to <u>W. H. Hughes, Jr.</u> 10-9-82 9AM 083	1/14	
82	Nov	22	ex parte appl for an ord granting access to inspect document		

Church of Scientology
Gerald Armstrong

NATURE OF ACTION:

CODE

REPORTER K. Colby 12-8-82

REPORTER

YEAR MONTH DAY

FILED DOC FEES

PROCEEDINGS

YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEES
82	11	22	Intervenor PWO of Service		
82	11	23	Proof of service		
82	11	29	Mt opened		DB2
82	11	29	Compl in intervention		
82	11	29	Comp. in Interv. Mary Sue Hubbard; Jur. v. (Int)		T63
82	12	1	1st amended v-Compl for damage		
82	12	2	Order of mt to re-declare judgment of dismissal of v-Compl 12-23-82 9am DB2		14
82	Dec	8	Mt for clarification of prelon by + for other relief; prelon by remained in effect with provisions DB3		
82	12	15	Left to motion to get for leave file on amended compl 1-4-83 9am DB3		14
82	Dec	6	Step + Ord exonerating surety bond in TRD		
82	Dec	16	Ord of order by intervenor Mary Sue Hubbard in plea mt for clarification of prelon only		
82	Dec	7	Amended compl in intervention of admission		
82	12	23	Ord.		
82	12	23	mt to 1-14-83 9am + 12am to DB3 DB2		
83	1	11	Ulloclen 013		
82	12	29	Decla in appas to md for leave		
83	1	6	Left in intervention, Am to Amended Compl in intervention		
83	Jan	14	Matter submitted		DB3
83	Jan	13	OSC reattempt - Denied		
83	Jan	13	Request that papers in support be filed under seal		
82	12	14	Off to md		
82	12	30	Suppl p+a re md		
83	1	7	Decl + p+a in app to md		
83	1	17	Submitted Ruling. Mt denied. Amended Compl is deemed filed + served DB3		

REPORTER P Stevenson 4-22-83

REPORTER

YEAR	MONTH	DAY		FILED DOC	FEES
83	1	17	Continuing Mary Sue, husband. MTC of MD 4/17/83	-14	-
			1st Depo 2-1-83 9am 1983		
82	1	19	Ex parte applic for order lodging letters of Mary Sue Husband	-	-
82	1	19	Ex parte applic order allowing Xerox copies to be made of sealed materials	-	-
82	1	19	Memo in app to ex parte applic re documents	✓	-
82	1	19	Ex parte order allowing Xerox copies to be made of sealed materials	✓	-
82	1	19	Order Sealing Document	✓	-
83	1	26	Memo in app to X to mo	✓	-
83	2	1	Memo denied in part 30 days to amend DB		-
83	2	15	Reply MTC of MD on Den, Den to Amil. X (Cont'd 3-11-83 9am D83)	-14	-
83	3	7	Opp to dem.	✓	-
83	3	11	Memo sust & OLR in part 30 days to amend	DB3	-
83	2	28	Memo & points & Auth in support of joint memo to modify	-	-
83	2	28	MTC of MD to modify March 24-83 9am D85	14	-
83	Mar	24	Cont 4-22-83 9:00 D85		-
83	Mar	30	Cont. 4-22-83 9:00 D85		-
83	4	5	Reply MTC of MD & MD GAB & Durance of (Continuation) 4-19-83 9am D83	14	-
83	4	19	Reply to Demobrag 2nd Amil / Ling	✓	-
83	4	19	Memo of fact	DB3	-
83	4	20	PROOF OF SERVICE (2)	✓	-
83	Apr	22	Cont to 4-26-83 9:00 D85		-
83	May	12	nk. of hrg on dem & dem of X. deft to 2nd amil. X. compl. memo of PIA 6-1-83 4:00 D-83	14	-
			nk. of mat & met to quash subpoena, 6-1-83 10:00 D-83	14	-
83	5	11	def't Gerald Armstrong, in pt to 2nd amended X. complt	-	-
83	Jun	21	Memo in app to def't in Armstrong's ex parte appl for transcription of audio cassette recording	✓	-
83	Jun	21	Proposed amended ex parte order	✓	-
83	Jun	24	Ex parte appl for cert approving and	✓	-
83	July	22	Reply memo in support of joint mtg to modify, return 11/1	✓	-

SUPERIOR COURT LOS ANGELES COUNTY

C 420153

P. 5

Principals & Surety of CA

Herold Amstrong

NATURE OF ACTION:

CODE

REPORTER

REPORTER

YEAR MONTH DAY

PROCEEDINGS

FILED DOC

FEE

YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEE
83	Apr	22	Ex parte on extending time to file app to meet ②	✓	
83	Apr	6	Ex parte report on old cost the date of being	✓	
83	Apr	20	Left several amendments memo in app to not to modify problem by	✓	
83	5	27	joinder by intervenor Mary Sue Hubbard in the mo by plff forward 6-1-83 9am D-83	✓	14
83	6	1	Motion submitted	883	
83	5	27			
83	6	8	Whistle submitted on 6-1-83 concerning who placed up, collected where put time on of what state. Sent (PR) sent w/ 1/2 hour of concern. in part. 20 days of concern who of rule 10p with 1/2 hour of concern comp. where & comp. give. D-1		
83	5	25	Dept's motion for appointment of who		
83	5	25	Dept's motion for appointment of who		
83	6	3	PRE REC OF MOT AND MOT FOR ISSUANCE OF COMMISSIONS TO TAKE DEPOSITION OUTSIDE OF CALIF 6/17/83 9AM D83	✓	14
83	6	17	REC O/C		
83	6	29	AT ISSUE MEMORANDUM FILED		
83	6	29	plff's motion of mot & mot for trial priority 7-21-83 10 ³⁰ D-1	✓	14
83	7	1	3rd Amended X-comp		
83	7	7	Supplemental decl. by Robert Lindberg	✓	
83	7	21	on crts. own mot. back. to 9-16-83 10:30 am D-1		
83	July	21	Oral Conf Sat Sept 4, 1983 10 ³⁰ D3		
83	8	16	Notice of mo. 9-7-83, 9:00 a.m. D83	✓	14
83	8	4	Ref. App for 3rd Am'd X Comp	✓	
83	8	23	Decl. of John Peterson	✓	
83	8	23	plff's motion re contempt 8-27-83 9AM D-83	✓	14
83	9	7	Motion cont 9-21-83 9 AM WKS		

EXHIBIT G

REPORTER *A. P. ...*

REPORTER

YEAR	MONTH	DAY	DESCRIPTION	FILED DOC	FEES
83	9	9	Unit Julie Christensen ... 4/10/83		114
83	9	11	COUNSEL STIPULATED NOT TO ARBITRATE	D3	
83	9	14	Plff. ... of ... name & ...		
83	9	21	Plff. ...	DR3	
83	9	22	Court 9-22-83 @ 9:00 in DR5	DR5	
83	9	16	DR. ... 125-13 10:30AM D3	D1	
83	9	30	Court 10-15-83 @ 9:00 in DR5		
83	9	14	Ex parte appl for continuance & hearing on order to show cause re contempt; proposed order cont. 9-30-83		
83	9	27	Memo & law in oppo to plff's decl of Contempt		
83	10	3	Def't file of mot to initiate discovery 10-15-83 9AM DR5		114
83	10	6	Court 10-20-83 in DR5 @ 9:00	DR5	
83	10	11	PROT of SERVICE		
83	10	14	The Matter of the DSC re Contempt now scheduled for hearing at 9:00 am on 10-27-83 is transferred to Court 37.		
83	10	19	Court 11-4-83 @ 9:00 in DR5		
83	10	20	Court 11-4-83 @ 9:00 in DR5		
83	10	21	DR ...	D31	
83	10	19	Declaration of Julia Dragovic		
83	10	21	Declaration of Tom ...		
83	10	21	Declaration of Richard Magnuson		
83	10	21	Declaration of Richard ...		
83	10	21	Declaration of Nicola Sabran-Bond		
83	10	21	Declaration of ...		
83	10	21	Motion that ... in support of DSC's ...		
83	10	27	DSC re Contempt discharged	D-21	
83	10	27	Motion ... 11-8-83 9AM DR5		114
83	10	24	DR ...		
83	8	23	Request that papers in support of DSC be filed under seal; order (filed under seal)		
83	8	23	Declaration of John G. Peters in support of DSC re contempt (filed under seal)		
83	9	30	Ex parte order re order continuing the date of hearing on that ... initiated discovery; DR; Memo of ... & A.S. exhibit		
83	9	30	Ex parte order continuing the date of hearing on that ... initiated discovery		
83	10	13	DR to continue ...		
83	10	31	Order of the Court of ... of Calif of Mary ... (Tribunals Request)		

Church of Scientology of Calif.

Gerald Armstrong

Attorney

Attorney

NATURE OF ACTION

CODE

REPORTER

E. Sklar 1-12-84

REPORTER

YEAR MONTH DAY

PROCEEDINGS

FILED

FEES

83	10	31	Oppo of the Church of Scientology of Calif. and Mary Sue Hubbard, to Mot to initiate Discovery (Peterson Request)	✓	
83	10	31	Oregon Dist's Memo of Julie Christofferson Hitchbourn to initiate Discovery	✓	
83	10	31	Oppo of Church of Scientology and Mary Sue Hubbard to Mot to initiate Discovery (Peterson Request)	✓	
83	11	1	Suppl. exhibits to be attached to oppo of Church of Scientology and Mary Sue Hubbard to Mot to initiate Discovery (Peterson Request)	✓	
83	11	4	Mot is denied w/o prejudice D85		14
83	11	8	intermittent mtg. 7 mtg. pres of Com 11-23-83 9am D83		
83	11	8	no cont 11-28-83 9am D83		
83	11	14	Order		
83	11	14	Reporter's partial transcript of proceedings of 11/27/83		
83	11	9	Def't. Mot for order compelling Nov. 28, 83, 9am D83		14
83	11	16	MTC of motion to continue hearing 12/1/83, 9am D83		14
83	11	23	MTC 11-22-83 9am D83		
83	11	28	MTC 11-28-83 9am D83		
83	12	1	Order for Commissions issued		
83	12	30	Cont 12-22-83 @ 5:00 p.m. D-83		
83	12	5	O/C		
83	12	22	Call of MTC clerk & Court to 1-12-84 D83 9am - D83		
83	12	5	Sched MSC 3-10-D 14 FD 3-22 9pm		
84	1	6	MTC of mo e. mo for issuance of Commission (C.P.P. 20186-2024) 1-27-84 9am, Mot 83		14
84	1	11	Very brief objections w/o plea D83		

SUMMS ISSD ORIGINAL	DATE	SUMMONS FILED	PUBLICATION OF	SUMMONS	REQUEST FOR DEFAULT FILED	DEFAULT ON COMP	DEFAULT ENTRY ON COMP
			APPL. FOR FILED			ENT BY CLERK	COURT FILED
			ORDER FOR FILED				
			PROOF OF FILED				
			PROOF OF MAIL FILED				

REQUEST FOR DISMISSAL FILED	FULL DISMISSAL WITHOUT PREJ ENTERED	FULL DISMISSAL WITH PREJ ENTERED	FULL DISMISSAL BY COURT FILED	RULE 28	CT TR

SUPERIOR COURT OF LOS ANGELES COUNTY

REPORTER	YEAR	MONTH	DAY	PROCEEDINGS	FILED NOC	FEES
				83 12 16 Deft's joint motion for reply to depts' appeal etc etc		
				83 11 23 depts' motion for appeal etc etc		
				83 12 16 Deft's objections to depts' exhibits etc etc		
				83 11 23 depts' motion for summary judgment etc etc		
				84 1 17 Pl. OST for summary judgment		
				84 1 17 Pl. Ex parte app. for an OST		
				84 1 17 Pl. Mtr against for clarification 1-24-84, 9am D-83		14
				84 1 20 Deft's shortening time		
				84 1 20 Ex parte app.		
				84 1 20 Pl. Mtr against for clarification 1-24-84, 9am D-83		
				84 1 24 Mtr Part 1-27-84 D-83 9am D-83		
				84 1 27 Motion taken under submission D-83		
				84 1 27 Mtr for reconsideration, deny etc for summary judgment D-83		
				84 1 25 Proof of service by mail		
				84 1 31 Motion submitted on 1-27-84 ruling as follows: grant motion D-83		
				84 1 31 Motion		
				84 1 20 depts' motion for appeal etc etc		
				84 1 23 Intentionally filed in reply to depts' appeal etc etc		
				84 02 01 Order for issuance of Commission		
				84 2 24 Jury fees & by Contos & Bunch for depts		137
				84 2 1 Draft to D-23		
				84 3 1 Judgment D-14; not sealed T.D 3-22-84 to appeal D-83		
				84 3 2 Mtr to initiate discovery 3-20, 9, D-83		14
				84 3 5 Mtr against Depts. motion 3/20/84; 9am; D-83		14
				84 Mar 6 Deft mtr to compel 3-21-84 9AM D-83		14
				84 3 8 Mtr against Depts. motion for OST (Denied)		
				84 3 12 Mtr. Mtr against on appeal 3-22-84 9am D-83		14
				84 3 16 Deft's Mtr against Depts. OST (Denied)		
				84 3 20 Motion Part 3/30/84 D-83 9AM D-83		
				depts' Mtr to file Mtr to file 3/30/84 is advanced to today's calendar w/o plea D-83		
				84 3 22 Motion w/o fee D-83		
				84 3 21 Cert of compliance		
				84 Mar 23 Deft Mtr of leaving on applications 4-2-84 9AM D-1		14
				84 3 19 depts' appeal to appeal		

SUPERIOR COURT LOS ANGELES COUNTY

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Church of Scientology of Calif.,
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Amststrong

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NATURE OF ACTION

CODE

REPORTER

D. Springer 4-9-84

REPORTER

YEAR MONTH DAY

PROCEEDINGS

FILED DOC

FEES

YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEES
84	3	14	Deft's supp doc in support of Appl	✓	
84	3	14	Deft's reply to plff's opposit to Appl	✓	
84	3	14	Plff's Mot & PR's in opposit to UMO	✓	
84	3	19	Deft's opposit to Mot & request to UMO	✓	
84	3	16	Deft's supp doc in support of UMO	✓	
84	3	13	Interim's opposit to UMO	✓	
84	3	14	Deft's opposit to UMO	✓	
84	3	14	Interim's special appearance	✓	
84	1	24	Deft's Mot in reply to UMO	✓	
84	1	27	Deft's reply to the report of court commissioner as RCMP judge	✓	
84	Mar	27	PP's list of ship name, add	✓	
84	3	30	U.M.C. c/c JRS	✓	
84	4	2	U.M.C. Cont 4-4-84 013 JRM - JRS	✓	
84	3	30	plff's opposition to appl.	✓	
84	4	9	U.M.C. reply to appl JRS	✓	
84	4	6	plff's re order continuing mg. (rejected) JRS	✓	
84	4	9	Deft's corrected Mot submitted in support of Appl	✓	
84	4	10	Plff's supp memo re: UMO case UMO	✓	
84	4	9	Matter transferred fr D-1. Cont to 4-10-84 D56	✓	
84	4	10	Matter ordered transferred to D-1 for reassignment D56	✓	
84	Apr	16	JRM trial scheduled for 4-19-84 9 AM, Dept 57	✓	
84	Apr	16	Plff's reply memo to Deft's opposit to Mot in. linking re sealed documents & narrow subject matters	✓	
84	Apr	16	Request to Court to take Judicial Notice and to hold evidentiary hearing that Scientology is a Religion	✓	

REPORTER			FILED DOC	FEES	
YEAR	MONTH	DAY			
✓	APR	16 1984	Plffs suggested ord of review of motions	✓	
✓	APR	16 1984	Plffs trial memo re ord of trial	✓	
	APR	16 1984	Plffs, proposed court description of case to jury(longer version)	✓	
	APR	16 1984	Plffs, proposed court description of case to jury(shorter version)	✓	
✓	APR	16 1984	Motion to disqualify Michael J. Flynn as counsel for deft. Gerald Armstrong or for alternative order	✓	
✓	APR	16 1984	Trial motion of deft. G. Armstrong to disqualify Barrett S. Litt from the representation of plff	✓	
✓	APR	16 1984	Plff trial motion to compel responses to requests for adm and req. for adm of genuiness of documents	✓	
	APR	16 1984	Deft. Notice of motion to amend answers	✓	
	APR	16 1984	Plffs oppos to motion for leave to amend ans	✓	
	APR	16 1984	Deft. Notice of mot to preclude use of wits not disclosed in disc.	✓	
	APR	16 1984	Plffs oppos to motion to preclude use of wits	✓	
	APR	16 1984	Intervenor's motion in limine re adm of her prior felony conviction	✓	
	APR	16 1984	Deft. oppos to Intervenor's mot in limine re adm of her prior felony conviction	✓	
✓	APR	16 1984	Plffs Mot in limine re adm. of and test. re documents sealed by Court	✓	
	APR	16 1984	Plffs amended mot in limine limiting the subj matter of admissible evid and the test. of various wits	✓	
	APR	16 1984	Exhibits in support of mot in limine limiting the subj matter of admissible evid and test of various wits.	✓	
✓	APR	16 1984	Plff memo of law in support of mot in limine limiting the subj. matter of admissible evid. and the test. of various wits.	✓	
✓	APR	16 1984	Oppos of deft. to mot in limine re adm of and test. relating to documents sealed by this Court	✓	
	APR	16 1984	Deft. response to amend mot in limine limiting the subj matter of admissible evid. and the test. of various wits.	✓	
	APR	16 1984	Deft. mot in limine to excl ltr. of 2-3-83	✓	
	APR	16 1984	Plffs oppos to mot in limine to excl ltr of 2-3-83	✓	
	APR	16 1984	Plff and Intervenor's combined trial brief and prelim brief in support of an anticipated directed verdict motion	✓	
	APR	16 1984	Exhibits to plaintiffs and Intervenor comb trial brief etc	✓	
	APR	16 1984	Trial brief of deft. Gerald Armstrong	✓	
	APR	16 1984	Exhibits to trial brief of deft., Gerald Armstrong	✓	
	APR	16 1984	Deft amend list of wits	✓	
	APR	16 1984	Supplement to deft. amend list of wits	✓	
	APR	16 1984	Supplement to deft wit list	✓	
	APR	16 1984	Plff and Intervenor list of trial witnesses	✓	
	APR	16 1984	Supplement to plff and Intervenor list of trial wits.	✓	
	APR	16 1984	Plff + Intervenor list of trial exhibits	✓	
	APR	16 1984	Suppl to Plff + Intervenor list of trial exhibits	✓	
	APR	16 1984	Suppl to Plff + Intervenor list of trial exhibits	✓	
	APR	16 1984	Deft amend list of wits	✓	
	APR	16 1984	Suppl to deft amend list of wits	✓	
	APR	16 1984	Suppl to deft wit list	✓	

SUPERIOR COURT LOS ANGELES COUNTY

C 420153

Church of Scientology
vs
L. A. Armstrong

NATURE OF ACTION			CODE	FILED DOC	FEE
REPORTER N. Harris 4/19/84 4/23 N. HARRIS + B. JACKSON 5/3/84 P.M.					
REPORTER N. Harris & D. Grace-daily 4-20-84 (N. Harris & H. Cannon 4/30/84 5/2 5/15/84 5/19/84 5/21/84 5/24/84 5/25/84 5/26/84 5/27/84 5/28/84 5/29/84 5/30/84 5/31/84)					
YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEE
84	3	22	Mo to court grtd, matter court 4-2-84		
84	4	2	any jury fees on deposit ORD to stand; Mo to con 4 denied; on courts own mo trailed to a date when a trial court becomes available d-1		
84	Apr.	17	Decl of Barrett S. Littin oppos to deft. Mot. to disqualify Barrett S. Litt from representation of plff.		
84	Apr.	17	Plff submission of case authority in support of trial motions		
84	Apr.	17	Decl. of Gerald Armstrong & exhibits in support of motion to disqualify Barrett S. Litt		
84	Apr.	19	Pre trial motions in progress, recess to 4-20-84 at 9 A.M.	D-57	
84	Apr	20	Pre trial motions in progress, recess to 4-23-84 at	D-57	
84	4	10	any jury fees on deposit ORD to stand; Mo to be in no deep status denied; on courts own mo trailed to a date when a trial court becomes available d-1		
84	Apr	23	Pre trial motions, trial recess to 4-30-84 at 9 AM	D-57	
84	Apr	24	Plff Clarification D. 4-23-84	D-57	
84	4	9	Matter transferred to D-56	D-1	
84	Apr	30	Decl of Victim, White		
84	Apr	30	Plff Exhibits		
84	Apr	30	Plff Assn of attor - Taylor, Pata, Stewart and Robert Harris		
84	Apr	30	Plff Suppl. Test. Witnesses		
84	Apr	30	Plff Suppl. Test. Exhibits		
84	Apr	30	Plff Trial Motions, Matter Plff fees		
84	4	16	cont grtd to 5-3-84 09 AM	D-57	
84	4	16	matter trans to D-57	D-1	
84	May	3	on trial, recess 5-4-84 9 AM	D-57	
84	May	4	on trial, recess 5-7-84 9:30 AM	D-57	
84	May	7	on trial, recess 5-8-84 9 AM	D-57	
84	May	8	on trial, recess 5-9-84 9:30 AM	D-57	
84	May	9	on trial, recess 5-10-84 9 AM	D-57	
84	May	10	on trial, recess 5-11-84 9 AM	D-57	
84	May	11	on trial, recess 5-14-84 9:30 AM	D-57	
84	May	13	Plff trial, matter Plff fees		
84	May	14	on trial, recess 5-15-84 9 AM	D-57	

REPORTER

REPORTER

YEAR	MONTH	DAY	FILED DOC	FEES
84	Aug	17	✓	
84	9	14	✓	
84	Sept	25	✓	AF
84	Sept	25	✓	
84	9	27	✓	
84	9	30	✓	
84	10	5	✓	
84	10	5	✓	
84	10	5	✓	
84	10	11	✓	
84	Oct	16	✓	
84	Oct	15	✓	
84	Oct	24	✓	
84	Nov	7	✓	
84	Nov	17	✓	
84	Nov	22	✓	
84	Nov	25	✓	
84	Nov	25	✓	
84	Nov	25	✓	
84	Nov	29	✓	
84	10	19	✓	
84	10	25	✓	
84	10	25	✓	
84	10	29	✓	
84	10	30	✓	

EXHIBIT G

SUPERIOR COURT LOS ANGELES COUNTY

C 420153

NATURE OF ACTION

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REPORTER

N. Harris 8/2/84

REPORTER

YEAR MONTH DAY

PROCEEDINGS

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YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEE
84	7	2	Appellant's intro. to prepare reporter's trans.	✓	
84	7	2	Appellant's intro. to select to prepare appendix	✓	
84	July	9	Order Re Exhibits	✓	
84	7	21	Memorandum of Costs	✓	
84	7	13	Notice of motion for award taxing costs 8-2-84 8:00 D-57	✓	14
84	July	17	Order of default for summary judgment	✓	
84	July	17	Order of summary judgment	✓	
84	July	17	Order of summary judgment	✓	
84	7	19	Intro. to reporter's appellate trans.	✓	
84	July	21	Order Re 9 to 12-0 Ord. Making Precedent	✓	
84	July	21	Order of summary judgment	✓	
84	July	25	Motion denied	✓	
84	July	26	Opposite Mot. Tax Costs	✓	
84	July	30	Interrogatory, memo in oppos to Mot for other fees	✓	
84	July	30	Order of summary judgment in oppos to Mot for other fees	✓	
84	Aug	1	Order of summary judgment supporting Mot tax costs	✓	
84	Aug	1	Order of summary judgment	✓	
84	Aug	3	Letter for Counsel for Plaintiff dated 7-13-84	✓	
84	Aug	2	Mot for tax costs granted in part. Mot for other fees denied	✓	
84	Aug	10	Order of summary judgment	✓	
84	Aug	10	Order of summary judgment in oppos to taxation of cost	✓	
84	Aug	10	Proposed judgment for Plaintiff	✓	
84	Aug	10	Order overruled in part statement of decision for Mot tax of costs	✓	
84	Aug	10	Proposed judgment	✓	
84	8	16	Intro. of entry of judgment	✓	
84	8	23	Order of summary judgment	✓	
84	8	23	Order of summary judgment	✓	

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Church of Scientology
Armstrong

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PROCEEDINGS

84	Nov	30	Clerk's Order of Making of Judge's Order	✓
84	Nov	8	Advt Church suppl memo of F.A.D. in support of Motion the disqualify	✓
84	Nov	8	Advt of Court on R. Rubynia support of Motion to disqualify	✓
84	Nov	20	ORDER TO Comply Out of Summons issued by IRS 916	✓
84	Nov	26	Order Vacated Nunc Pro Tunc	✓
84	11	26	Request for correction	✓
84	11	26	certified copy of 7th for removal	✓
84	10	19	Advt's ORDER COURT CLG	✓
84	10	19	Advt's see-advt's copy for CIRCUIT COURT Link to court	✓
84	10	19	Advt's support to 4110	✓
84	Nov	28	Plff + Dft Church of Scientology re for Summary Disqualification - Denied	✓
84	Nov	23	Plff + Dft Church of Scientology Deal of John A. Peterson in support of Motion re for Summary Disqualification	✓
84	Nov	28	Advt's app's of Church re M. J. S. & Hubert to Mot of non-party	✓
84	Nov	30	Subon 2 advt's in support of op pos	✓
84	Dec	3	Mot of non-party to inspect copy 2-1-85 9:45 AM D-57	✓
84	Dec	3	Supplement correcting oppos to Mot	✓
84	11	29	UIC 4110 9:53	✓
84	11	29	or Court order the hug set 11-30-84 cont to 12-3-84 matter transferred to D-57. 9 AM. D1	✓
85	1	14	M.O. Clarifying Order of 12-3-84	10-57
85	Jan	22	Advt's re Mot to inspect the Motion in support of Mot to inspect	✓
85	Jan	22	Advt's re Mot to inspect the Motion in support of Mot to inspect	✓
85	Jan	25	Order for Stop	✓
85	Jan	22	Memo in support of Motion	✓

REPORTER T. X. U. L. L. C. 3/18 4/2/85

YEAR	MONTH	DAY	REPORTER	FILED DOC	FEES
1985	Jan	30	Re Grant of United States for & Service of Process the file Reply	✓	
85	Feb	4	Notice of United States of interest not to present test. at 2-11-85 CHG	✓	
85	Feb	4	Reply in support of Motion to respect	✓	
85	Feb	4	Motion submit proposed findings of fact	✓	
85	Feb	7	suppl. affid to further support of Motion	✓	
85	Feb	6	United States Appellate Certificate to declaratory etc	✓	
85	Feb	11	Motion to set aside 1/11/85	✓	
85	2	14	notice of appeal	✓	
85	2	20	Notice to Debar Resto. transcript of the of election to Debar Appellate & notice of Debar Appeal in same proceeding	✓	
85	2			✓	
85	Feb	25	Motion to set aside	✓	
85	2	27	United States Title & Co.	✓	
85	Mar	11	Ex parte Appl of X-compl for Order Short Time for notice of motion granted	✓	2.57
85	Mar	11	Appel for X-compl. Order	✓	
85	Mar	11	Order to set aside 3/11/85	✓	
85	Mar	11	Motion to set aside 3/11/85	✓	
85	Mar	15	X-left Church apper to Mat for Prehearing	✓	14.00
85	Mar	18	Motion to set aside 3/15/85, 9/18/85	✓	
85	Mar	22	Appel for 7 parts with re designation of counsel	✓	
85	Mar	25	Motion to set aside	✓	
85	3	27	Order X-compl 4-15-85 9-57	✓	
86	3	26	Suppl. Affidavit	✓	
85	4	1	Order of Service by mail	✓	
85	4	1	Order of Service	✓	
85	Apr	10	X-left Church suppl. apper to Motion to set aside	✓	
85	Apr	12	X-left Church apper to Cont Mot	✓	
85	Apr	12	Appel for 7 parts with re designation of counsel	✓	
85	Apr	12	Order of Service 4-15-85 to Mat 6/19/85	✓	
85	Apr	12	Order of Service 4-15-85 to Mat 6/19/85	✓	
85	Apr	15	Motion to set aside 5-6-85, 9/18/85	✓	
85	Apr	16	Motion to set aside 4/16/85, 4/17/85	✓	
85	Apr	19	X-left Church submitted apper to X-C Motion to Compel Production of Documents	✓	
85	5	2	Order of Service of app. of add of app. 12)	✓	
85	May	6	Motion to set aside 5-13-85, 5/17/85	✓	

Church of Scientology of California
vs.
Herald Armstrong

Attorney
Attorney

NATURE OF ACTION: CODE

REPORTER

REPORTER

YEAR MONTH DAY FILED DOC FEES

PROCEEDINGS

1985	May	8	X-Cell Church of Scientology (Furtner) vs. Motion to Compel Production of Documents							
85	MAY	9	Reply brief of X-Cell to oppose to meet Compel							
85	MAY	9	Exhibits in support of Reply brief of X-Cell							
85	MAY	10	Motion of X-Cell to further oppose to Meet Compel							
85	MAY	13	Motion to Dismiss Court to 12-85							
85	MAY	10	Met of S. R. R. Further to Quack Service of Subpoena 5-30-85, 94-X-11-57							14.00

ARBITRATION CONFERENCE SET	DATE	TIME	DEPT	REFERRED TO ARBITRATION	TSC SET	DATE	TIME	DEPT
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AT - ISSUE FILED	AT - ISSUE VACATED	MSC DATE	TIME	DEPT	TRIAL DATE	TIME	DEPT
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JUDGMENT ENTERED	JUDGMENT VACATED	APPEAL FILED	REMITTITUR FILED	SUMMONS ORG FILED
			AFFIRMED	AFFIRMED
			MODIFIED	MODIFIED
			REVERSED	REVERSED
			DISMISSED	DISMISSED

SUBSTITUTION	ORIGINAL	FILED
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CASE NO. C 420153

SUPERIOR COURT LOS ANGELES COUNTY

PAGE 1

REPORTER

REPORTER

YEAR MONTH DAY

FILED
DOC

FEES

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SUPERIOR COURT LOS ANGELES COUNTY

C420153

Church Scientology Calif.
Armstrong Herald

Φ. K.
Attorney
Attorney

NATURE OF ACTION:

CODE

REPORTER

REPORTER

YEAR MONTH DAY

FILED DOC

FEES

PROCEEDINGS

85	5	13	REQUEST FOR ENTRY OF DISMISSAL							
86	5	13	FILED DISMISSED BY ATTY FOR DEF X-comp, X-comp, only							
85	MAY	10	Motion for entry of judgment of dismissal							
			170.6(a) Motion for entry of judgment of dismissal							
85	MAY	14	Motion for entry of judgment of dismissal							
			denial per 170.6(b) J-57							
85	5	13	Def. Prob of C.F. 500							
85	MAY	16	Motion for entry of judgment of dismissal							
			office of def. to former withholds as							
			obviously for "Church"							
85	5	24	Motion for entry of judgment of dismissal							
85	MAY	21	Motion for entry of judgment of dismissal							
85	6	17	int & ad upheld and 1/2 of 9 mos for protection order							
			dis sent 6 27 57 7A - in part, ord, council meet							
			& infra - submit evidence							
85	June	13	2nd of Michael Peterson in appeal							
85	June	15	supp reply to Jurisposes of X-def. Church							

ARBITRATION CONFERENCE SET	DATE	TIME	DEPT	REFERRED TO ARBITRATION	TSC SET	DATE	TIME	DEPT

AT - ISSUE FILED	AT - ISSUE VACATED	MSC DATE	TIME	DEPT	TRIAL DATE	TIME	DEPT
85-6-24							

JUDGMENT ENTERED	JUDGMENT VACATED	APPEAL FILED	REMITTITUR FILED	SUMMONS ORIG FILED
			AFFIRMED	
			MODIFIED	
			REVERSED	
			DISMISSED	

SUBSTITUTION OF ATTORNEY	FOR	NEW ATTORNEY	DEFAULT ENTERED	FOR
7.10.85	Timothy J. Sullivan	John B. Erickson		

REPORTER N. Davis 6/27/85 - 12/4/85

YEAR	MONTH	DAY	FILED DOC	FEES
1985	June	27		
			X - left Church Report for S-C	
85	June	27		
			X - Counsel proposed date, pretrial and trial schedule	
85	June	27		
			Met TX - left for the comp. production	
			take Muller's submission	
			CLERK'S/REPORTER'S TRANS ON APPEAL FILED -7.34	
			NTC OF COMPLETION FILED 11-16-84	
			RECORDS ON APPEAL SENT TO DCA 7-9-85	
85	July	2		
			and made resolution matter; Met	
			to compel art. per murder	
			MSC set 9-15-86 9AM D-57	
			set 9-29-86, 9AM D-57	
85	July	31		
			X - left response to disc order 7-2-85	
85	July	31		
			order sitting out over inquiry (per)	
			depos X-C	
85	July	31		
			X - left Appl for order sealing outlines	
			depos on questions of X-C	
85	July	31		
			order sealing outlines of depos. questions	
			for X-C	
85	July	31		
			X - left outlines of depos. questions	
			for X-C	
85	July	31		
			order staying prec re. disc order to	
			5pm 8-5-85. order sealing outlines of	
			depos. questions	
85	7	7		
			11-1-85: MKD-R. M.A. 1:57	
85	Sept	19		
			X - left Motion to initiate investigation	
			of trial of TRO 10-4-85, 9AM D-57	
85	Sept	19		
			at the time in support of Met to initiate	
			investigation	
85	Sept	19		
			decl with John H. Peterson in support	
			of Motion to initiate investigation	
85	Sept	19		
			Motion to initiate investigation	
			Blackburnidge from King McForte	
			initiate investigation (170.1(a)(1))	
85	10	2		
			decl not to initiate AN investigation	
			10-18-85 9AM D-57	
85	10	2		
			Declaration	
85	10	2		
			Exhibits	
85	10	2		
			decl not to initiate investigation	
85	Oct	1		
			Statement Disqualification of Judge	
			Blackburnidge (per 170.1(a)(1))	
85	Oct	1		
			App. Report of Michael J. Finn et al in	
			affidavit. Met to initiate arrest	
85	Oct	3		
			decl of case file	
85	Oct	3		
			decl of John H. Blackburnidge	
85	Oct	7		
			Council gave 5 days to appeal by a judge	
			to file not to disqualify Michael Finn et al	

SUPERIOR COURT LOS ANGELES COUNTY

420153

CHURCH OF SCIENTOLOGY OF CALIF
 -VS-
 GERALD ARMSTRONG

Attorney

Attorney

NATURE OF ACTION:

CODE

REPORTER

REPORTER

YEAR MONTH DAY

FILED DOC

FEES

PROCEEDINGS

85 10 16 PIFF mot for JUDICIAL DISCLOSURE
 10-31 9AM D-57

85 10 16 REQUEST FOR CLARIFICATION OF DECLARATION

85 Oct 17 X-2 left reports, decl of Judge Paul
 B. Blackmering, G.M.

85 10 21 PIFF mot for judicial disclosure
 11-6-85 9am D57

85 Dec 18 Mot M.C. 11-57

85 Dec 21 Order make re mot for judicial
 disclosure, decl of Mot for
 clarification of decl - both motions
 set for 10-31-85. Arg date vacated.

85 Dec 21 Air of withdrawal of Mot for judicial
 disclosure. 11-47

85 Dec 22 Piff for subpart times to file
 Mot for judicial disclosure

85 Dec 22 (up) for subpart times to file 11-57

85 10 23 Note of by fax - Dept 120 for judicial
 disclosure 11-57

85 10 28 X-1 left copy of Mot for judicial
 disclosure 11-57

ARBITRATION
 CONFERENCE SET

DATE

TIME

DEPT

REFERRED TO
 ARBITRATION

TSC SET

DATE

TIME

DEPT

AT - ISSUE FILED

AT - ISSUE VACATED

MSC DATE

TIME

DEPT

TRIAL DATE

TIME

DEPT

JUDGMENT ENTERED

JUDGMENT VACATED

APPEAL FILED

REMITTITUR FILED

SUMMONS
 ORG FILED

AFFIRMED

AFFIRMED

MODIFIED

MODIFIED

REVERSED

REVERSED

DISMISSED

DISMISSED

SUBSTITUTION
 OF ATTORNEY

FOR

NEW ATTORNEY

DEFAULT ENTERED

FOR

DISMISSAL
 ENTERED

ENTIRE ACTION
 FOR

REPORTER A. Henry 1/2/86
REPORTER N. Davis 1/22/86

YEAR	MONTH	DAY		FILED DOC	FEE
85	11	28	Order Paul H. F. 110 cleared	✓	
85	11	29	Order on Mot for car 11-12-85	✓	
85	11	30	Mot to quash 12-11-85 9AM 1-83	✓	NO FEE
85	DEC	9	Order	✓	
85	DEC	11	Motion from d-23. O/C. 10/11	✓	
85	12	23	X-DEFT MOT FOR ISSUANCE JAN-10-86 9AM	✓	14
85	12	23	X-DEFT MOT OF TAKING DEPOSITION	✓	
85	12	31	NOTICE OF CHANGE OF HEARING	✓	
86	1	3	Matter re Compl. Discovery Ord STOP CONT TO 1-22-86 9A 057	✓	
86	12	24	STOP TO CONT HEARING on COMPL. DISCOVERY ORDER of 1-9-85	✓	
86	JAN	13	oppos to Mot (as) Comm take depon	✓	
86	JAN	22	Mot (as) Comm take depon denied	✓	
86	JAN	22	submission by X-deft in response to discovery of Mot	✓	
86	1	22	Mot to intervene 1-12-86 9am 1-57	✓	14.00
86	1	22	Intervention Mo. see order to grant leave 1-12-86 9am 57	✓	14.00
86	1	24	X-def Mo. for summary adjudication 2-26-86 9am 57 30p. 248	✓	14
86	JAN	28	V parte appl of X-deft for stay of X-deft for production of documents	✓	
86	JAN	27	X-partie appl of X-deft for stay	✓	
86	JAN	22	4th resp to Mot for summary judgment 2-12-86	✓	14.00
86	JAN	27	Statement of disqualification of Judge Paul H. Brennan	✓	
86	JAN	3	Recall of Judge Paul H. Brennan	✓	
86	JAN	29	Recall of Judge Paul H. Brennan support	✓	
85	NOV	15	X-deft re physical evidence of his testimony	✓	
86	JAN	17	Motion of X-deft to disqualify Judge Paul H. Brennan	✓	
86	2	7	Stop re-ordered deposition	✓	
86	2	7	Subpoena to Judge Brennan Mo to quash	✓	
86	2	6	Subpoena to witness 2-24-86 1:30PM 1-83	✓	
86	2	6	Subpoena to witness 2-27-86 9am 57	✓	14
86	Feb	7	Motion of P+A in oppos to Mot to Intervene	✓	
86	Feb	3	Appl for partial judgment - denied	✓	
86	Feb	12	Motion of P+A for judgment 2/12/86 1:30PM 1-57	✓	

Scientology vs. Armstrong

NATURE OF ACTION			CODE	FILED DOC	FEE
REPORTER					
REPORTER					
YEAR	MONTH	DAY	PROCEEDINGS	FILED DOC	FEE
1986	Feb	2	Met of X-deft to initiate investg of C finding determination of 170.1		
86	2	24	NO GRAD W/ PRET		1783
86	2	19	V-DEFT opposed to nat		
86	FEB	19	OPPOSITION TO MOTION TO QUASH SUBPOENA OF JUDGE PAUL G. BRECKENRIDGE JR.		
86	Feb	16	Step 10 Access to Clerk's Records		
86	Feb	26	Final determination of 170.1 CCP A-57		
86	2	26	Remittitur w/opinion DCA - opinion has now become final.		
86	4	15	not to compel 5-7-86 9am A-57		14.50
86	4	15	Decls. (2)		
86	4	7	X-defts sue for hearing / oral argument re: State's right of disqualification of P. Bueren 11 days; on 4/10/86 court finds that Judge Breckenridge is not disqualified. Had clerk's notice (Building with bias. Judge E. Dickey on case. admitted bar is in county)		
86	Apr	15	V-partie Appl of X-Compl.		
86	Apr	15	Decl of David Armstrong in support of V-partie appl		
86	Apr	16	V-partie appl of C. Trial date of MSC date 12-19-86. Trial reset for 1-19-87 and MSC reset for 12-19-86		A-57
86	Apr	16	Met of X-deft to compel sanctions 5-7-86, 9am A-57		14.00
86	Mar	11	Request for oral argument re statements of disqualification		
86	Apr	15	Appl of X-deft for OSC re Contempt - John K. Carter		
86	Apr	16	Appl of X-deft for OSC re Contempt - Howard Strom		
86	Apr	16	Appl of X-deft for OSC re Contempt - Julia Strom		
86	Apr	21	Application all of X-deft for OSC re contempt of court of deft		A-57

REPORTER N. D. Harris 7/10/86

REPORTER L. M. P. Harris 7/25/86

YEAR	MONTH	DAY		FILED DOC	FEES
86	4	14	Amended PRC of JCL		
86	4	21	Left for LOS - 1/2 party error see previous page		
86	4	25	Return		
86	4	27	Motion re TC two appearances D-57		
86	5	30	SET FOR 9-8-86 AT 11:30 AM R.D. 3		
86	5	28	Att. call for WICKETUP CRICK 6:30 AM D-57		
86	5	28	def met to V compl 1/25/18091 2nd D-57		
86	6	5	X-def motion for protection of children to comply with California, Washington and Illinois child abuse laws on calendar		
86	6	10	OFF MOT INITIATE AN INVESTIGATION 6:75 AM D-57		14
86	6	13	Met of X-C for protective court to 6-25-86 11 AM D-57		
86	6	19	Def met w/ party app & Mr. Court and on motions re 7-9-86, 9 AM D-57		
86	6	19	Def met w/ party app & Mr. Court		
86	6	25	Motion for 17-9-86 9 AM D-57		
86	6	25	X-def statement of compliance		
86	6	26	Or der		
86	6	27	offer X-def to met for order striking a number etc		
86	6	27	Request support met to initiate investigation		
86	6	27	offer to met for protective order		
86	6	27	Intervenor motion in writ to initiate investigation		
86	6	27	Motion for party in part met to initiate investigation cont'd 8-11-86, 9 AM D-57		
86	6	27	met to strike answer, cont 9-17-86, 9 AM		
86	6	27	Request of intervenor for facilities to file w/ court re D-57		
86	6	27	Order modifying order 7-9-86 re. protective D-57		
86	6	27	Order D-57		
86	6	27	Def 7 should C. L. helped in support of step D-57		
86	6	27	Step & order Rescheduling Argon OSC re Contempt from 7-28-86 to 7-25-86		
86	6	27	Step & order continuing Argon met to initiate request re Contempt, cont fr 8-11-86 to 8-15-86		
86	6	27	Def 1-11-110 COPY of P. 11-110 for DUMANN		
86	6	27	X-def app for ord shut him		
86	6	27	X-def met for writ of compliance procedure 7-25-86, 1:30 PM D-57		
86	6	27	Order re 7-28-86 & cont 9-5-86 7 AM D-57		14 00